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Attorneys for USACM Liquidating Trust

E-Filed on 2/25/09

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,¹

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,
LLC,²

USA SECURITIES, LLC,³

Debtors.

USACM Liquidating Trust,
Plaintiff,

vs.

Los Valles Land & Golf, LLC, a Delaware
Limited Liability Company, and Dan S. Palmer,
Jr., a married man residing in California,

Defendant.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

Chapter 11 Cases

Jointly Administered Under Case No. BK-S-
06-10725 LBR

Adv. No. 08-01058 LBR

**SECOND STIPULATED MOTION
TO MODIFY BRIEFING
SCHEDULE REGARDING USACM
LIQUIDATING TRUST'S MOTION
FOR SUMMARY JUDGMENT AND
LOS VALLES LAND & GOLF'S
COUNTERMOTION FOR
SUMMARY JUDGMENT**

Hearing Date: April 10, 2009
Hearing Time: 10:30 a.m.

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.



USACM Liquidating Trust (the “Trust”) and Los Valles Land & Golf LLC (“Los Valles”) jointly move the Court to modify the briefing schedule on the Trust’s December 22, 2008 Motion for Summary Judgment (Dk 40) (the “Motion”) and Los Valles’ February 12, 2009 Countermotion for Summary Judgment (Dk 51) (the “Countermotion”). Both the Motion and the Countermotion are currently set for hearing on April 10, 2009 at 10:30 a.m., and the Parties are not requesting that the Court reschedule the hearing.

The Court previously approved a modified briefing schedule on the Motion and Countermotion (Dk 43). Counsel believes, however, that additional reasonable time is necessary to allow each side to fully and effectively address the issues raised in the Motion and Countermotion. Therefore, the parties have agreed upon a modified briefing schedule, which provides a ten day extension to each party from the dates previously stipulated to. The parties respectfully request that the Court approve the following schedule for the briefing of the Motion and Countermotion:

- a. The Trust’s Reply in Support of the Motion will be due on March 11, 2009.
- b. The Trust’s Response to the Countermotion will be due on March 11, 2009.
- c. Los Valles’ Reply in Support of the Countermotion will be due on March 25, 2009.

DATED: February 25, 2009

LEWIS AND ROCA LLP

By /s/ John Hinderaker
 Susan M. Freeman
 Rob Charles
 John Hinderaker
Attorneys for USACM Liquidating Trust

LEWIS
AND
ROCA
—LLP—
LAWYERS

- and -

**AKIN GUMP STRAUSS HAUER & FELD
LLP**

By /s/ Bruce Jacobs
Bruce Jacobs

Attorneys for Los Valles Land & Golf LLC